



General Assembly

***Amendment***

***February Session, 2006***

**LCO No. 5792**

**\*HB0546305792HDO\***

Offered by:

REP. O'CONNOR, 35<sup>th</sup> Dist.

REP. GERAGOSIAN, 25<sup>th</sup> Dist.

To: Subst. House Bill No. **5463**

File No. 282

Cal. No. 193

**"AN ACT CONCERNING INSURANCE RATE FILING REQUIREMENTS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 2 of senate bill 410 of the current session, as  
4 amended, is repealed and the following is substituted in lieu thereof  
5 (*Effective July 1, 2006*):

6 (a) Notwithstanding the requirements of sections 38a-389 and 38a-  
7 688 of the general statutes with respect to personal risk insurance with  
8 the exception of residual market rates, and on and after July 1, 2006,  
9 and until July 1, 2009, an insurer may file a rate with the Insurance  
10 Commissioner pursuant to this section and such rate shall take effect  
11 the date it is filed provided the rate provides for an overall state-wide  
12 rate increase or decrease of not more than [six] three and one-half per  
13 cent in the aggregate for all coverages that are subject to the filing. The  
14 [six] three and one-half per cent limit shall not apply on an individual

15 insured basis. Not more than one filing may be made by an insurer  
16 pursuant to this section within any twelve-month period unless the  
17 filing, when combined with one or more filings made by the insurer  
18 within the preceding twelve months, does not result in an overall state-  
19 wide increase or decrease of more than [six] three and one-half per  
20 cent in the aggregate for all coverages that are subject to the filing.

21 (b) A filing that does not meet the criteria set forth in subsection (a)  
22 of this section shall be subject to sections 38a-389 and 38a-688 of the  
23 general statutes unless the filing is otherwise exempt from said  
24 sections.

25 (c) A filing submitted pursuant to subsection (a) of this section shall  
26 be deemed to comply with the requirements of chapter 701 of the  
27 general statutes, except that the commissioner shall have the authority  
28 to determine whether the filing is inadequate or unfairly  
29 discriminatory. In the event the commissioner determines that the  
30 filing is inadequate or unfairly discriminatory, the commissioner shall  
31 issue a written order specifying in detail the reasons why the filing is  
32 inadequate or unfairly discriminatory. The order shall indicate a future  
33 date on which the filing shall no longer be effective. An order by the  
34 commissioner pursuant to this subsection that is issued more than  
35 thirty days after the date the rate is filed with the commissioner shall  
36 be prospective only and shall not affect any contract issued or made  
37 before the effective date of the order.

38 (d) No rate increase that meets the criteria set forth in subsection (a)  
39 of this section may be implemented with respect to an individual  
40 policy in effect on the date of the filing unless the increase is applicable  
41 no earlier than the date of policy renewal and the insurer provides  
42 notice of the increase to the insured pursuant to section 38a-323 of the  
43 general statutes."

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>July 1, 2006</i>	SB 410 (current session), Sec. 2
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